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REMARKS

Claims 1-6 have been cancelled and replaced by new Claims 12-19 which are based upon combinations of the original claims.

As defined therein, the present invention is a process for the formation of bobbin winding coated monofilament dental tapes having a wide range of coating levels, using a coating conditioning means in conjunction with a coated monofilament tape tension controlling means. As taught in TABLE 5 of the specification as filed, the coatings employed in the present invention have components beyond mere wax:

Ultramulsion 10-2.5" is defined as an emulsion of polydimethylsiloxane (PDMS) at 2.5 million centistokes (cs) in a nonionic surfactant Poloxamer 407, where the PDMS is at 10% by weight of the total emulsion.

Emsorb 2726 – an emulsifying agent of the class known as ethoxylated sorbitan esters.

Stearyl Alcohol - a nonionic surfactant.

Insoluble Saccharin – sweetener.

Propyl gallate – antioxidant.

Spicemint Flavor – flavor agent.

Vanilla Mint Flavor – flavor agent.

Tetrasodium pyrophosphate – cleaning agent.

Dicalcium phosphate – cleaning agent.

Microcrystalline wax – slip aid.

Triclosan – antibacterial agent.

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Claims 1-3, 5, and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over the admitted prior art in view of Prospero et al. In view of the cancellation of these claims, this rejection is now moot. However, Applicant wishes to make the following remarks to distinguish the new claims from this cited art:

Prospero et al. teach a method and apparatus used for the bobbin winding of waxed dental floss and tape. The only coating ingredient taught or suggested by this patent is wax – nothing more. In order to process waxed floss, this patent teaches (at Col. 3, lines 15-29) that the heating elements of the equipment must be sufficiently hot so as to melt the wax (“a temperature slightly exceeding the melting point of any wax”). Such a process neither teaches nor suggests the present invention, which uses heat “below the softening temperature of the coating.” Moreover, wax, if used at all in the present coatings (See Table 5) is used only as a minor component of the multicomponent coating mixture. Prospero et al. neither teaches nor suggests the coating process of the present invention, and a Section 103 rejection of the new claims would not be proper.

Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Prospero et al. further taken with Gruber. In view of the cancellation of this claim, this rejection is now moot. However, Applicant wishes to make the following remarks to distinguish the new claims from this combination of cited art:

The Prospero et al. patent has been distinguished above and that discussion is incorporated here by reference. The Examiner cites the Gruber patent for the teaching of additional heating, but fails to provide any motivation for the combination of the Prospero and Gruber patents. The materials being processed are not the same, and the processing conditions are not interchangeable. Prospero is processing waxed dental floss or tape. Gruber is processing glass filaments coated with PETG polymer (Example 1) and graphite filaments coated with an amorphous copolyamide polymer (Example 2).

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Such materials would not be used as dental floss or tape, and the processing of these materials would not be viewed as relevant art in the floss area. Applicant submits that the proposed combination of Prospero and Gruber is not a proper combination of related prior art teachings.

However, even if the combination is deemed proper – the combined teachings of Prospero and Gruber still fail to teach or suggest the invention claimed herein.

Prospero teaches melting of the wax coating for ease of winding bobbins of waxed dental floss (or tape). Gruber teaches a system of winding “fiber-reinforced resin products” which have a melt temperature and a degradation temperature, and employs three separate heating units each of which is set at a temperature in the range of from above the melt temperature to below the degradation temperature of said thermoplastic resin.

Both prior art processing techniques teach the melting of the coating. Combined, these teaching provide nothing more and nothing less than a concept of “melting the coating.” Such a process neither teaches nor suggests the present invention, which uses heat “below the softening temperature of the coating.” Accordingly, since the proposed combination of prior art neither teaches nor suggests the coating process of the present invention, a Section 103 rejection of the new claims citing this combination of prior art would not be proper.

Entry of the present amendment for purposes of appeal is respectfully requested. Entry is necessary because Applicant believes that the amended claims are now in condition for allowance notwithstanding the cited art and the Examiner's arguments thereunder.

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The present amendments were not submitted at an earlier date as the Examiner's rejections were believed to have been fully met by the amendments and remarks made in the response to the last Office Action. Thus, this response represents the Applicant's only opportunity to make the present amendments and remarks a part of the record in this application.

Entry is finally believed proper at this time because the amendments do not raise any new issues that would require further consideration and/or search, since they merely conform in scope to the claims already adequately and properly searched by the Examiner and they do not introduce any new matter.

EXTENSION OF TIME

Applicant hereby petitions for a one-month extension of time in connection with the filing of this response. The initial three-month response deadline expired on 27 August 2004. The extended filing deadline expires on 27 September 2004.

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner in this application.

FEE AUTHORIZATION

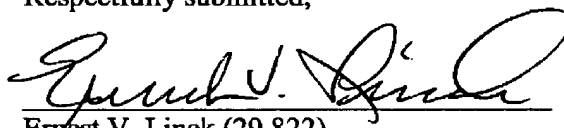
Please charge all fees (excess claim fees, time extension fee, Notice of Appeal Fee) associated with this filing to our Deposit Account – No. 19-0733.

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CERTIFICATE OF FACSIMILE TRANSMISSION

The undersigned hereby certifies that this correspondence was submitted by
facsimile in the USPTO on the date shown on Page 1.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Ernest V. Linek", written over a horizontal line.

Ernest V. Linek (29,822)
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